

### **REMARKS/ARGUMENTS**

Applicants thank the Examiner for the opportunity to discuss claim 1 in view of Mengel and for her helpful suggestions during an Interview conducted on May 26, 2009.

Claims 1, 2, 4-9, 12, 13 and 16-20 stand rejected.

#### **SECTION 103 REJECTIONS:**

Claims 1, 2, 4-9, 12, 13 and 16-20 have been rejected as obvious in view of Oda and Mengel. Applicants respectfully submit that this rejection is overcome for the reasons set forth below.

Amended claim 1 now includes features which are not suggested by the cited references, namely:

- a delay block coupled to the source controller imposing a delay interval starting at the triggering of the optical source ...
- wherein after the image acquisition the source controller turns **both** the optical source and the image acquisition off, so that the on-time period of the optical source is longer than an on-time period of the image acquisition, and
- **endings of the on-time period of the optical source and the on-time period of the image acquisition occur simultaneously.**

Basis for amended claim 1 may be found, for example, in Figs. 3 and 4. As shown, waveform C<sub>1</sub> triggers optical source 2. On the other hand, waveform C<sub>2</sub> delays the on-time of image acquisition, the latter performed by image processor 8. This delay is shown as element 5, indicated by T, in Fig. 3. Furthermore, when optical source 2 is turned off by waveform C<sub>1</sub>, the image acquisition, which is controlled by waveform C<sub>2</sub>, is turned off at the same time. This timing is shown as element 1 in Fig. 3.

As discussed with the Examiner during the Interview, and noted in the Office Action at page 3, Oda does **not** mention compensation of dark current; and does **not** teach that after image acquisition, the source controller also turns the optical source and the image acquisition off. More specifically, as now amended, Oda does **not suggest turning off the on-time period of the optical source and the on-time period of the image acquisition simultaneously.**

Mengel teaches a system for timing an image acquisition. As shown in Figs. 7 and 8, a short-time shutter allows an optical pulse to be processed by an image sensor. However, the short-time shutter does **not** include a delay interval, as required by claim 1. Therefore, as discussed with the Examiner during the Interview, Figs. 7 and 8 are not relevant to the invention recited in claim 1.

Furthermore, Fig. 2 of Mengel discloses a delay between the triggering of an optical pulse and an integration window of the image sensor ( $\Delta A$ ). As shown in Fig. 2, however, Mengel does **not** turn off, or end, both the image processing ( $\Delta A$ ) and the transmission of the optical pulse ( $\Delta L$ ) simultaneously. Therefore, Mengel does **not** suggest the newly added feature of amended claim 1, namely, **that the endings of the on-time period of the optical source and the on-time period of the image acquisition occur simultaneously.**

Since neither Oda, nor Mengel, at a minimum, suggests the above features of amended claim 1, the claim is not obvious in view of the cited references. Favorable reconsideration is respectfully requested.

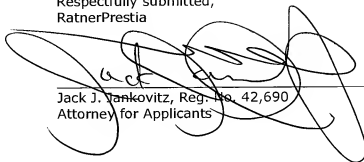
Although not the same, claim 12 has been amended to include features similar to amended claim 1. Amended claim 12, therefore, is not subject to rejection in view of the cited references for the same reasons set forth above for amended claim 1. . Favorable reconsideration is respectfully requested.

Dependent claims 2 and 4-9 depend from amended claim 1. Dependent claims 13 and 16-20 depend from amended claim 12. These dependent claims, therefore, are not subject to rejection in view of the cited references for at least the same reasons set forth above for amended claim 1.

**CONCLUSION**

The application is in condition for allowance.

Respectfully submitted,  
RatnerPrestia

A large, stylized handwritten signature in black ink, appearing to read 'Jack J. Bankovitz', is written over a horizontal line.

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Dated: May 28, 2009

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